

ORDINANCE NO. 2007 - 032

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **MECCA FARMS**, MODIFYING PAGES 22 AND 28 OF THE FLUA BY CHANGING APPROXIMATELY 1919.23 ACRES OF LAND, GENERALLY LOCATED ON THE EAST SIDE OF SEMINOLE PRATT WHITNEY ROAD, APPROXIMATELY 1 MILE NORTH OF NORTHLAKE BOULEVARD, FROM ECONOMIC DEVELOPMENT CENTER WITH AN UNDERLYING 2 UNITS PER ACRE (EDC/2), WITH CONDITIONS, TO RURAL RESIDENTIAL, 1 UNIT PER 10 ACRES (RR-10) AND PLACEMENT IN THE RURAL TIER; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners adopted amendments to the 1989 Comprehensive Plan in 2004 to facilitate the location of the Scripps Research Institute at the former Mecca Farms site in north-central Palm Beach County; and

WHEREAS, these amendments included a provision that the Palm Beach County Board of County Commissioners would consider an amendment to return the Mecca Farms property to the Rural Residential 1 unit per 10 acres (RR-10) designation or another appropriate designation, should the Scripps Research Institute not move forward on the Mecca site; and

WHEREAS, the Scripps Research Institute was eventually located at the Abacoa/Briger site in the Jupiter area; and

WHEREAS, on March 13, 2007, the Palm Beach County Board of County Commissioners directed staff to take all actions necessary to repeal or amend, as appropriate, the Comprehensive Plan ordinances related to the Scripps approval on the Mecca Farms property; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on November 26,

2007, to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act; and

WHEREAS, these amendments are consistent with the compliance agreement entered into by Palm Beach County and the Department of Community Affairs.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the text of the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

A. Future Land Use Atlas pages 22 and 28 are amended as follows:

Site: Mecca Farms

Amendment: From Economic Development Center, with an underlying 2 units per acre (EDC/2) to Rural Residential, 1 unit per 10 acres (RR-10); and placement in the from the Rural Tier.

General Location: East side of Seminole Pratt Whitney Road, approximately 1 mile north of Northlake Boulevard;

Size: Approximately 1919.23 acres;

B. Conditions: The conditions limiting development on the site are deleted as indicated in Exhibit 1.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect

the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission.

Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

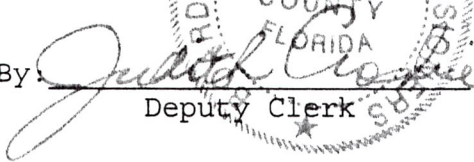
APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 26th day of November, 2007.

ATTEST:

SHARON R. BOCK, Clerk

PALM BEACH COUNTY, FLORIDA,

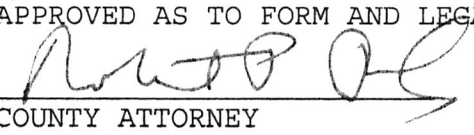
BY ITS BOARD OF COUNTY COMMISSIONERS

By:  Deputy Clerk

By: 

Addie L. Greene, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


COUNTY ATTORNEY

Filed with the Department of State on the 4th day
of December, 2007.

EXHIBIT 1

Amendment: Mecca Farms

FLUA Page No.: 22 and 28

Amendment: From Economic Development Center with underlying 2 units per acre (EDC/2) to Rural Residential, 1 unit per 10 acres (RR-10) and placement in the Rural Tier.

Location: East side of Seminole Pratt Whitney Rd., approximately 1 mile north of Northlake Blvd.

Size: Approximately 1919.23 acres

Property No.: 00-41-42-05-00-000-7020; 3000; 7010 and 00-41-42-06-00-000-5010

Legal Description: THE WEST ½ OF SECTION 5, ALL OF SECTIONS 6 AND 7, AND THE WEST ½ OF SECTION 8, ALL LYING IN TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT OF WAY OF THE C-18 CANAL AS RECORDED IN DEED BOOK 1097, PAGE 261, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

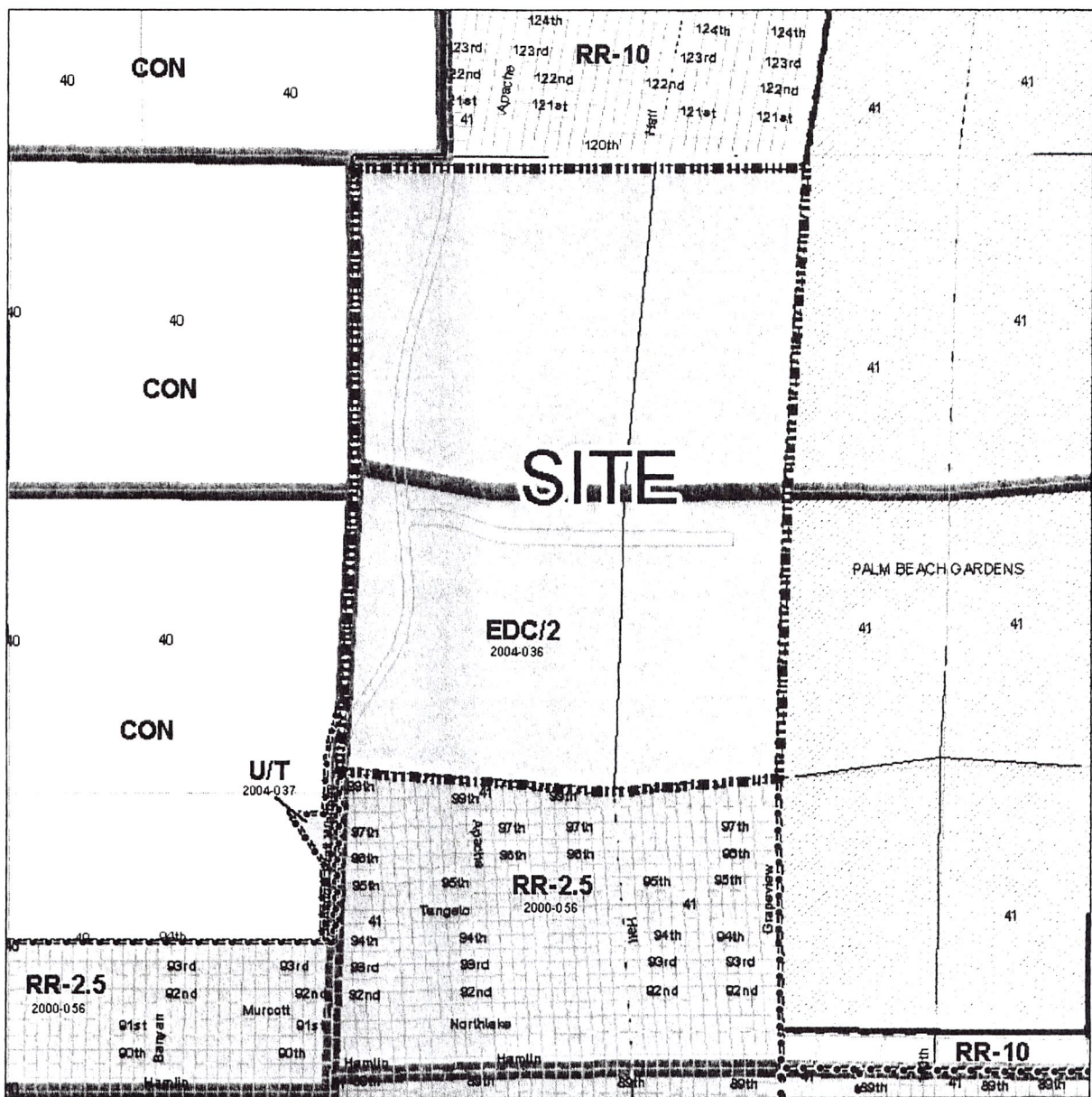
CONTAINING 1,919.23 ACRES, MORE OR LESS.

Conditions:

1. Development on the site shall be limited as follows:

Use	Intensity/Density	
	Min.	Max.
Research and Development	8,000,000 sq. ft.	8,500,000 sq. ft.
Retail	330,000 sq. ft.	440,000 sq. ft.
Utility ¹	--	392,040 sq. ft., not to exceed 20 acres ³
Educational	1,587,762 sq. ft.	2,117,016 sq. ft., not to exceed 2500 elementary/secondary students and 2000 college/university students ³
Recreation/Community Facility ²	100,000 sq. ft.	487,872 sq. ft. ³
Clinic/hospital	--	529,254 sq. ft., not to exceed 300 beds ³
Residential	2000 units	2000 units, not including any units requested from TDR and Workforce Housing programs ^{4,5}
1. Includes any building space which may be required to provide utilities, such as potable water, wastewater, electric, telephone, cable television and other utility services. 2. Could include a range of community facility uses, including, but not limited to, the following: community centers, fire stations, sheriff substations, libraries and recreational structures. 3. The maximum square footages for these uses were derived by using the acreage allocated to them on the site master plan, then applying the maximum floor area ratio allowed in the appropriate pod under either the Comprehensive Plan or the ULDC (whichever is more restrictive). 4. Additional units should be added if an adequate number of residential units is not available to provide a sustainable mix of uses internally to this project and/or in close proximity to the project. 5. If the project utilizes either the TDR and/or Workforce Housing Program, the increased density shall be in accordance with the land use conversion matrix contained in DRI Traffic Condition # 67, dated October 5, 2004. 6. To ensure the basic character of the project is not altered, land uses may be exchanged based on the land use conversion matrix contained in DRI Traffic Condition # 67, dated October 5, 2004; however, no land use may exceed the maximum in the table above and no land use may fall below the minimum as specified in the table above.		

2. If the Scripps Research Institute does not move forward on the Mecca site, County staff shall bring to the BCG for initiation an amendment to return the property to the Rural Residential, 1 unit per 10 acres (RR-10) designation or another appropriate land use designation.



STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, SHARON R. BOCK, Clerk and Comptroller
 certify this to be a true and correct copy of the original
 filed in my office on November 26, 2007

dated at West Palm Beach, Florida 12/11/07
 By: Shiane Brown
 Deputy Clerk

